

# Brunswick Clammers Return To Local Rivers

BY DOUG RUTTER

Brunswick County shellfishermen returned to the rivers last weekend as local clam beds reopened after being closed for more than five weeks because of the "red tide."

The N.C. Division of Marine Fisheries opened approximately 100 miles of coastline to hand clam harvesting Saturday after tests conducted last week on shellfish meats revealed no traces of toxicity.

This area, which stretches from the South Carolina state line north to New River and from Marshallberg to Sealevel, includes Brunswick County.

Two weeks ago, the state opened clam beds along 60 miles of coastline after shellfish harvesting had been banned for four months because of the infestation of *pychodiscus brevis*. This area, from Sealevel to Buxton, represented the northernmost section which had been closed.

Coastal waters between New River and Marshallberg remain closed to all shellfishing.

According to Jim Tyler, spokesman for the state Division of Marine Fisheries, this 50-mile stretch coincides with the area which was first infested by the "red

tide" last fall. He said these waters contained the highest concentrations of algae when the tide reached its peak.

George Gilbert, assistant supervisor of the shellfish sanitation program of the N.C. Division of Health Services, said shellfish toxicity in the closed area has dropped recently but that it may be another two or three weeks before clams are suitable for harvest.

Since these shellfish were affected by the "red tide" for the longest period of time, he explained, it has taken them a longer time to purge themselves of its toxins. Gilbert said testing will continue on a weekly basis.

Although all clam beds in North Carolina should be open within the next few weeks, the harvesting of oysters in areas affected by the state's first recorded "red tide" may be over for the season.

Tyler said the state will not make any decision concerning the closure or extension of oyster season until those shellfish begin to test clear of all toxins. Oyster season usually ends March 1 in Brunswick County.

Rich Carpenter, Wilmington regional manager for the state Division of Marine Fisheries, said he doubted the oyster season would continue in this area.

"In talking with most of the fishermen down there, the majority don't feel there's a need to start it up again," he said.

Tyler added that the local oyster season, which began slowly last October, tends to be poor during the final few weeks anyway and that reopening the shellfish beds probably wouldn't be too productive.

Gilbert said the shellfish sanitation section has concentrated its oyster-testing efforts in the central part of the state where the "red tide" nearly eliminated the five-month season.

He said some harvest can be salvaged if oysters in that region cleanse themselves within the next two weeks. Oyster season in that area usually lasts until April 1.

Since the reopening of clam beds, the oyster relocation program established by the state Division of Marine Fisheries has been limited to areas still closed to shellfishing.

This program, which pays shellfishermen \$1 per bushel to move oysters from waters permanently closed to pollution to areas closed because of the "red tide," ended last week in Shallotte River.

Lori Stretch, a fisheries development employee

with the Division of Marine Fisheries, said the program continued this week in White Oak River near Swansboro, but that interest has diminished since clam beds were opened elsewhere. She said the program will be stopped entirely after next week.

Although recent figures were not available for Brunswick County, statewide more than 400 shellfishermen had moved approximately 350,000 bushels of oysters under the program as of Monday.

Through Feb. 22, a total of 76 shellfishermen had moved about 30,000 bushels in Brunswick County.

Carpenter added that the local relocation program will probably not be operated again this spring, as it has for the past three years.

"We're in good shape as far as having areas filled," he explained. "We should have a good harvest next year."

South Carolina shellfish beds remain closed from Murrells Inlet north to the state line.

Thom Berry, spokesman for the S.C. Department of Health and Environmental Control, said shellfish meats tested last week contained low levels of toxicity. He said testing will continue next week.

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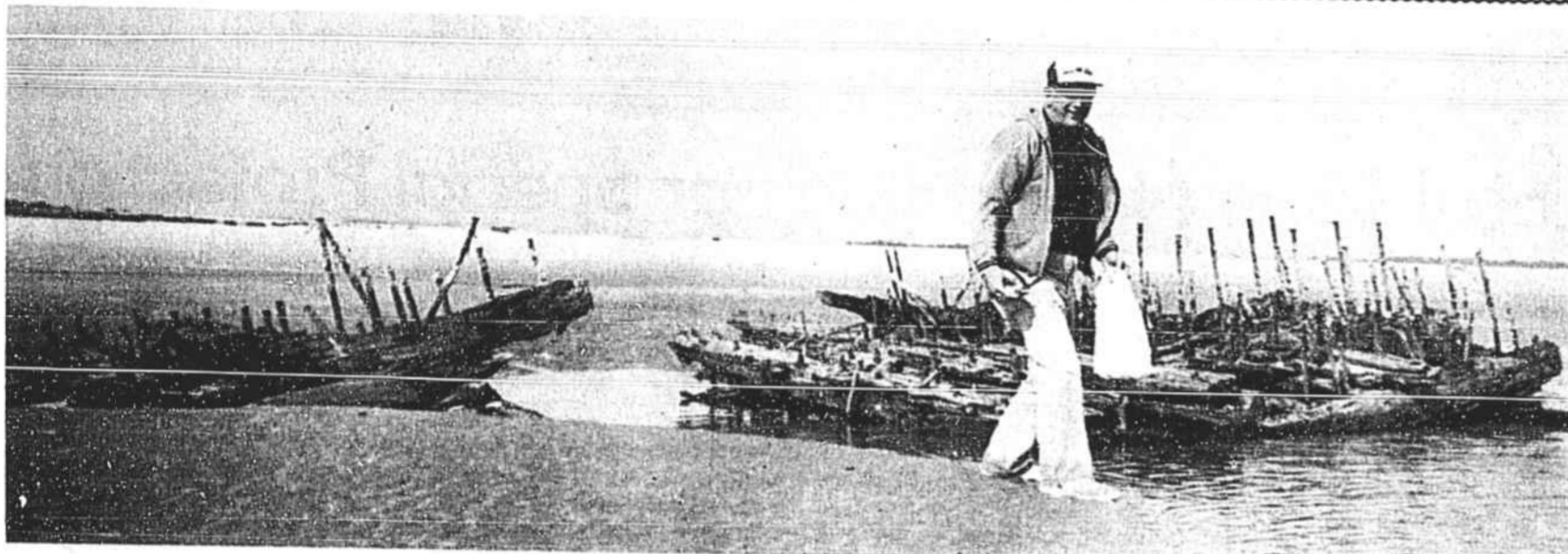
Twenty-sixth Year, Number 17

ISSUE THE BRUNSWICK BEACON

Shallotte, North Carolina, Thursday, March 3, 1989

25c Per Copy

32 Pages Plus Insert



Searching The Tide Line

Cletus Waldmiller of Sunset Beach took advantage of a recent sunny afternoon to look for shells on the east end of Ocean Isle Beach, finding several live ones near wreckage exposed by the winds and tides. Waldmiller shares

some shells with a neighbor who can't get out; others are recycled in an inlet near his home.

STAFF PHOTO BY SUSAN USHER

## Clerk Of Court Signs Order To Renew Drainage District

BY RAHN ADAMS

Brunswick County Clerk of Court

Diana Morgan this week took the next step toward helping solve drainage problems in the southwestern section of the county by setting aside an 11-year-old court order that dissolved the Cawcaw Drainage District.



Morgan

Ms. Morgan's action Monday afternoon in Bolivia came at the request of Brunswick County Commissioners and the Brunswick County Soil and Water Conservation District Board.

After more than two months of renewed discussion on the matter, the two boards last December petitioned the clerk of court to reactivate the abandoned drainage district.

Soil and Water Board Chairman James Bellamy, who was a driving force behind the reactivation effort, said Monday night that he was pleased with Ms. Morgan's decision. "I feel good about it," Bellamy said.

Ms. Morgan, however, did not appoint three commissioners on Monday to oversee reactivation of the drainage district, as also was requested by the two boards. She did not specify when those appointments would be made.

"I would want to do some research into who the best possible candidates were and talk to those people," Ms. Morgan said Monday, "and that would be a time-consuming job."

Bellamy told The Brunswick Beacon Monday that he felt the three drainage commissioners should represent a cross section of the district. He suggested that individual commissioners be chosen to represent farmers, homeowners and developers.

He added that he would also like to see a former drainage commissioner returned to the board. He said the drainage board was composed of O.K. Bellamy, Wendell Bennett and the late James Earl Hardee at the time of its dissolution in 1976.

After the appointments are made, the next step will be for the drainage commissioners to redefine the district's boundaries, since the area affected by the drainage system has grown considerably since 1976 when it was dissolved, Bellamy said.

Before making the decision to reactivate the district, Ms. Morgan reviewed a legal memorandum filed Feb. 23 by Brunswick County Attorney David Clegg. At a hearing held Jan. 20 in Bolivia, the clerk of court gave Clegg until Feb. 25 to answer three legal questions she had involving the two boards' request for reactivation of the district.

She had questioned whether or not the boards' motion was filed within a "reasonable time," as required by

the N.C. Rules of Civil Procedure; what standing the boards had before the court, since neither was party to the original action which dissolved the district; and if any case law existed that would answer whether or not drainage easements in the district still exist.

"It (Clegg's brief) addressed the important issues and addressed them satisfactorily," Ms. Morgan said Monday.

However, she noted that "there are some unanswerable things about it, because there isn't a lot of case law about drainage."

The Cawcaw Drainage District—formally called Brunswick County Drainage District 1—was established in 1969. Construction of approximately 16.5 miles of canals began in 1963 and was completed in 1967. The district was originally designed to drain about 40,000 acres of farmland.

But much of the affected area now includes valuable residential and commercial property. Flooding is common due to poor drainage in the overgrown, neglected canal system.

In December 1976, the Brunswick County Clerk of Court's office dissolved the drainage district, although opinions issued by the N.C. Attorney General's office in 1977 and 1987 stated that the dissolution was improper.

The county has maintained that the district was never dissolved. Since the drainage district was originally created by a local act of the state legislature, it could be dissolved only in the same manner, Clegg has said.

Renewed discussion of the district (See CLERK, Page 2-A)

## Ash Man Arrested On Charges In New Hanover

BY RAHN ADAMS

A Brunswick County man was being held in the New Hanover County Jail Monday following his arrest last month on an assortment of sex and drug charges.

Donnie Ray Long, 35, of Route 2, Ash, was arrested Feb. 20 after lawmen searched his Carolina Beach condominium and seized pornographic movies, sexually-explicit Polaroid photographs and less than an ounce of marijuana, according to New Hanover County Sheriff's Detective Blake Boaz.

The Brunswick County Sheriff's Department also is looking into the case, although no charges had been filed in Brunswick County as of Monday.

"There are no charges pending in Brunswick County at this time," Brunswick County Sheriff's Capt. Phil Perry said. "There is an ongoing investigation. At this time, I will not say what the investigation involves."

Boaz said Long was charged in New Hanover County with taking indecent liberties with a minor, crime against nature, five counts of promoting prostitution of a minor, two counts of disseminating obscene material to a minor, simple possession of marijuana and possession of drug paraphernalia.

Authorities obtained a warrant to search the residence after a juvenile

male from New Hanover County reported the alleged offenses to the sheriff's department there on Feb. 17, Boaz said. The offenses allegedly occurred in February at the condominium located at 101 Sandfiddler Lane, Carolina Beach.

"I can't discuss it (the alleged offenses) in any further detail than that," Boaz said Monday.

Long initially was placed in the New Hanover County Jail without bond. At his first court appearance Feb. 21 in Wilmington, his bond was set at \$100,000 and his next court date was scheduled for March 8.

Last week, authorities obtained warrants to search the suspect's home and business in Ash, Boaz said.

According to Brunswick County Sheriff's Detective Nancy Simpson, officers searched the man's local residence and Long's Grocery and Video last Thursday but did not find "anything really incriminating."

Ms. Simpson said her department was alerted to the case after Long told New Hanover investigators that the sexually-explicit photographs were taken in Brunswick County.

The pictures show sex acts involving at least five boys between the ages of 14 and 18 who are believed to be Ash area residents, she said.

Ms. Simpson said no determination had been made concerning possible charges in Brunswick County since the investigation was still underway.

## Investigation Underway Into UCB Bank Break-In

Shallotte Police Monday were investigating a break-in and theft that occurred last week at a local bank.

Police Chief Don Stovall said the break-in was discovered by bank employees last Thursday at 8:25 a.m. at United Carolina Bank's branch office on South Main Street. The break-

in occurred sometime after the bank closed Wednesday afternoon.

According to Stovall, someone forced open the front door of the building "in some manner" to gain entry. The door lock was broken, while the door itself was not damaged.

An undetermined amount of money was taken, he said. The intruder removed rolls of coins from the teller's area, but did not attempt to enter the bank's main vault.

The police chief said the break-in was not detected until Thursday morning because the front door of the

bank was not connected to an alarm system.

Saying only that the matter was still under investigation, Stovall Monday declined to comment on whether or not lawmen had suspects in the case. No charges or arrests had been made by Monday.

## Authority Will Get Its Second Water Customer

BY RAHN ADAMS

Brunswick County won't be the Lower Cape Fear Water and Sewer Authority's sole customer after a \$4.1 million water line extension is completed to an area industry next summer.

According to Executive Director Kurt Taube, the authority this week approved several measures to proceed with the sale of untreated water to Cape Industries, a chemical manufacturer located on U.S. 421 in New Hanover County.

At its meeting Monday morning in Wilmington, the board "signed off" on an amendment to its water supply agreement with Brunswick County, Taube said, a step that was approved by Brunswick County Commissioners last month.

As the only water customer, Brunswick County is repaying the authority's revenue bonds through payment of water fees. As a result, the county must consent to any additions to the system, since cost of the project would be added to the bonds and increase the length of time it would take to pay off the total debt.

Authority Chairman David Clegg, who also serves as Brunswick County's attorney, initially presented the proposal to commissioners last November. He told them that the Cape extension would benefit Brunswick County by allowing the county to resell raw water to other customers and by reducing the authority's water rates.

Under its contract with the authority, the county could tap the new

water line to serve customers in Brunswick County.

The 8.6-mile water line, consisting of 24-inch pipe, will run from the authority's reservoir at Brunswick County's Northwest Treatment Plant near Malmo to the industry, crossing the Cape Fear River near Takeda Chemical Products in New Hanover County, Taube explained.

Besides Takeda, the line will also run near Du Pont's Cape Fear Plant in Brunswick and Union Carbide Corp. in New Hanover.

With the addition of Cape Industries, the authority's water rate will drop approximately two cents per 1,000 gallons, Taube said.

Clegg told commissioners in November that projected rates would drop from the current 84 cents (per

1,000 gallons) to 59 cents in 1989. Without Cape, the 1989 rate would be 61 cents.

Cape has proposed initially to buy two millions gallons of water per day. The industry may ultimately use up to five million gallons per day, Taube said.

Also at Monday's meeting, the authority approved a \$150,000 contract with Willis Engineers of Charlotte to provide preliminary engineering work for the water line extension, Taube said.

He added that the board also signed an agreement with Cape for the industry to pay the engineering firm's fee.

According to Taube, the authority expects engineering work to take (See AUTHORITY, Page 2-A)

### Presidential Primary Set

Polls will open at 6:30 a.m. and remain open until 7:30 p.m. next Tuesday as Brunswick County voters join other Southerners in helping select Republican and Democratic presidential candidates—candidates they hope will be more attuned to regional needs.

On the Democratic ticket are Bruce Babbitt, Michael S. Dukakis, Richard A. Gephardt, Al Gore, Gary Hart, Jesse Jackson and Paul Simon.

Republicans on the ballot are George Bush, Bob Dole, Pete DuPont, Alexander Haig Jr., Jack Kemp and Pat Robertson.

Babbitt, DuPont and Haig have withdrawn from the race, but not in time for their names to be removed from ballots.

According to the Brunswick County Board of Elections, there are 25,823 registered voters in the county.